

SAMPLE

NOTICE OF INTENT

January 1, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Pleasant Dreams Hospital
1000 E. Medical Drive
Bountiful, Utah

Save A. Stick, M.D.
1000 E. Medical Drive
Bountiful, Utah

Risk A. Lott, M.D.
1000 E. Medical Drive
Bountiful, Utah

NOTICE OF INTENT TO COMMENCE ACTION

TO: Each of the above named health care providers.

PLEASE TAKE NOTICE, pursuant to Title 78-14-8 of the Utah Code Annotated 1953, as amended, the undersigned intends to commence an action on behalf of the Petitioner, Jane Doe, against each of you as health care providers.

NATURE OF CLAIM

This is an action in malpractice in providing medical and surgical treatment to the Petitioner by the above named health care providers and their employees and agents.

PERSONS INVOLVED

The persons involved are the above named health care providers and Jane Doe, who resides at 555 W. 3500 East, Salt Lake City, Utah.

DATE, TIME AND PLACE OF OCCURRENCE

The occurrences complained of took place between approximately July 30, 1990 and August 6, 1990 at Pleasant Dreams Hospital, 1000 Medical Drive, Bountiful, Utah.

CIRCUMSTANCES

The Petitioner was admitted to the Lakeview Hospital after experiencing a history of dysmenorrhea for a number of years. Medication for pain and birth control were not effective. Complaints included severe cramping, nausea, vomiting and diarrhea during her regular menstrual periods. She was admitted for a total hysterectomy. Following surgery she experienced severe blood loss and became shocky. She had a drop in hematocrit requiring several units of blood and two further surgical procedures. Subsequent surgery disclosed a large amount of blood in her abdomen and a pulsating artery was found to have been partially improperly sutured. A total of three surgical procedures were undertaken.

SPECIFIC ALLEGATIONS OF MISCONDUCT

The specific allegations of misconduct, which are believed to be below the standards of medical care for this community, include, but are not limited to,

- (a) Failure to explore other alternatives to surgery, such as other medications.
- (b) Improper technique in performing a hysterectomy in not controlling bleeding.
- (c) Failure to properly note and diagnose the medical problem or blood loss and the source of loss.
- (d) Inadequate surgery at the time of the second operative procedure in placing a suture in the vaginal cuff.
- (e) Other deficiencies which may be noted after proper discovery.

NATURE OF INJURIES AND OTHER DAMAGES

The nature of the injuries include, but may not be limited to,

(a) Subjecting the Petitioner to the unnecessary risk of two additional surgical procedures, including the administration of total anesthesia.

(b) The unnecessary need for several blood transfusions and the risks associated with such transfusions.

(c) Possible future abdominal problems associated with severe loss of blood into the abdominal cavity, i.e. as adhesions, infections, and urinary impairment.

(d) Additional weakening of the abdominal wall and the presence of scar formation on the patient's abdomen.

(e) The necessity of a prolonged convalescence and debilitating period following surgery, which includes persisting loss of energy and stamina.

(f) Loss of employment time and a continuing possibility of actual loss of her employment.

(g) Psychological damage and the disruption of her family status.

(h) Extensive and severe pain.

The Petitioner will file a request for a pre-litigation hearing within the time specified by law.

Name (of Petitioner or attorney)

1234 East 5678 South
Salt Lake City, UT 84121
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Business Phone: 456-7890